

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 11-13 and 15-27 are pending in the application, with claims 11, 17, 18, 20, and 21 being the independent claims. Claims 11, 15, 17, 18, 20-22, and 27 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

This Amendment after Final Rejection at least places this application in better form for appeal and should only require a cursory review because the claim amendments presented herein do not add any new features and/or do not significantly alter the scope of the claims. Accordingly, entry of the present Amendment is requested under 37 C.F.R. §1.116.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 11, 17 and 21

Claims 11, 17 and 21 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Japanese Patent Publication No. 2000-76336 to Fukuo Taro (“Taro”) in view of U.S. Pat. No. 6,609,198 to Wood et al. (“Wood”). Applicants respectfully traverse this rejection, and the Examiner’s statements presented on pages 2-3 of the Office Action.

Independent claim 11 recites, among other features, “wherein the transaction is completed **without authentication** of the user when [a] second one of the authentication level is determined” (emphasis added). Applicants submit that neither Taro nor Wood teach or suggest at least this feature of independent claim 11. The Examiner states that the primary citation to Taro does not teach or suggest this feature of independent claim 11. (Office Action, pages 4-5.) Nevertheless, the Examiner has taken the position that Wood cures the deficiency of Taro. (*Id.*)

Wood is directed to a security architecture that provides a single sign-on to gain access to multiple information resources. (Wood, 2:26-28.) Specifically, each information resource of Wood **requires authentication** to a particular trust level before access is granted:

If the entity requesting access has not been authenticated to the trust level required for the particular enterprise application or information resource requested...the access to the request is to be redirected...so that login credentials may be obtained and authenticated to a particular trust level. (Wood, 6:28-34.)

However, if prior authentication to a particular (or sufficient) trust level has been achieved, no further authentication (i.e., additional authentication) is required:

If, on the other hand, login credentials have already been obtained for the requesting entity and the requesting entity **has been authenticated** using the obtained credentials such that the required trust level has been achieved, the access will typically be allowed **without further** login credentials and **authentication**. (Wood, 6:34-40.)

From the above, it becomes clear that Wood does not disclose granting access to an information resource **without authentication**. Rather, Wood simply does not require further authentication (i.e., additional authentication) if prior authentication to a sufficient trust level been achieved.

Thus, Wood does not teach or suggest (emphasis added) “wherein the transaction is completed **without authentication** of the user when [a] second one of the authentication level is determined” as recited in claim 11. As noted above, each trust level of Wood requires authentication.

The Examiner, in the Response to Arguments section of the Office Action, cites to the Summary section of Wood as allegedly disclosing the above noted feature of independent claim 11. (Office Action, page 3, *citing* to Wood, 2:32-46, 2:46-67, 3:41-53, and 3:64-4:3.) However, similar to the portions of Wood noted above, the Summary section merely discloses that (emphasis added) “once credentials have been obtained for an entity and **have been authenticated** to a given trust level, access is granted, without the need for **further** credentials and **authentication**, to information resources for which the trust level is sufficient.” (Wood, 2:39-43.) Further authentication, as noted above, does not negate the fact that at least an initial “authentication to a given trust level” is required before access is granted. (*Id.*)

Moreover, Wood further fails to teach or suggest “performing authentication of the user **after** completing the transaction when the second one of the authentication level is determined” as recited by claim 11 (emphasis added). As noted above, Wood is directed to a security architecture that provides a single sign-on to gain access to multiple information resources. (Wood, 2:26-28.) Each information resource of Wood **requires authentication** to a particular trust level **before** access is granted. (Wood, 6:28-34.) In other words, Wood does not teach or suggest authenticating a user to gain access to a particular information resource **after** the access has already been completed. Thus, Wood further does not teach or suggest “performing authentication of the user **after**

completing the transaction when the second one of the authentication level is determined” as recited by claim 11 (emphasis added).

For at least the reasons set forth above, Applicants submit that the combination of Taro and Wood cannot be used to establish a *prima facie* case of obviousness. Accordingly, Applicants respectfully request the rejection of claim 11 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Independent claims 17 recites “wherein authentication of the user is performed after completing the transaction when a second one of the authentication level is determined” and “wherein the transaction is completed without authentication of the user when the second one of the authentication level is determined.” As noted above, in regard to claim 11, the combination of Taro and Wood fails to teach or suggest at least these features. Accordingly, Applicants respectfully request the rejection of claim 17 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Independent claims 21 recites “performing authentication of the user after completing the transaction when a second one of the authentication level is determined, wherein the transaction is completed without authentication of the user when the second one of the authentication level is determined.” As noted above, in regard to claim 11, the combination of Taro and Wood fails to teach or suggest at least these features. Accordingly, Applicants respectfully request the rejection of claim 21 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 12 and 22-24

Claims 12 and 22-24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Taro in view of Wood, and further in view of Japanese Patent Publication No. 2000-92236 to Fukai Shuichi et al. (“Shuichi”). Applicants respectfully traverse this rejection.

As noted above, Taro and Wood fail to teach or suggest each and every feature of independent claims 11 and 17. Shuichi does not cure the deficiencies of Taro and Wood with respect to independent claims 11 and 17. On pages 6-9 of the Office Action the Examiner states, which Applicants do not acquiesce to, Shuichi teaches the features of these claims. However, Shuichi is not used to teach or suggest, nor does Shuichi teach or suggest, at least the above-noted distinguishing features of claims 11 and 17. Thus, because Shuichi cannot be used to cure the deficiencies of Taro and Wood, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, independent claims 11 and 17 are patentable over Taro, Wood, and Shuichi. Dependent claims 12 and 22-24 are similarly patentable over Taro, Wood, and Shuichi for at least the same reasons as claims 11 and 17, from which they respectively depend, and further in view of their own respective features. Accordingly, Applicants respectfully request the rejection of claims 12 and 22-24 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 13 and 25

Claims 13 and 25 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Taro in view of Wood, further in view of Shuichi, and still further in

view of Japanese Patent Publication No. 06-215009 to Watanabe Schunichi (“Schunichi”). Applicants respectfully traverse this rejection, and the arguments presented on pages 2-3 of the Office Action.

As noted above, Taro, Wood, and Shuichi fail to teach or suggest each and every feature of independent claims 11 and 17. Schunichi does not cure the deficiencies of Taro, Wood, and Shuichi with respect to independent claims 11 and 17. On pages 9-10 of the Office Action the Examiner states, which Applicants do not acquiesce to, Schunichi teaches the features of these claims. However, Schunichi is not used to teach or suggest, nor does Shuichi teach or suggest, at least the above-noted distinguishing features of claims 11 and 17. Thus, because Schunichi cannot be used to cure the deficiencies of Taro, Wood, and Shuichi, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, independent claims 11 and 17 are patentable over Taro, Wood, Shuichi, and Schunichi. Dependent claims 13 and 25 are similarly patentable over Taro, Wood, Shuichi, and Schunichi for at least the same reasons as claims 11 and 17, from which they respectively depend, and further in view of their own respective features. Accordingly, Applicants respectfully request the rejection of claims 13 and 25 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 15, 16, 26 and 27

Claims 15, 16, 26 and 27 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Taro in view of Wood, and further in view of Schunichi. Applicants respectfully traverse this rejection.

As noted above, Taro and Wood fail to teach or suggest each and every feature of independent claims 11 and 17. Schunichi does not cure the deficiencies of Taro and Wood with respect to independent claims 11 and 17. On pages 10-11 of the Office Action the Examiner states, which Applicants do not acquiesce to, Schunichi teaches the features of these claims. However, Schunichi is not used to teach or suggest, nor does Shuichi teach or suggest, at least the above-noted distinguishing features of claims 11 and 17. Thus, because Schunichi cannot be used to cure the deficiencies of Taro and Wood, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, independent claims 11 and 17 are patentable over Taro, Wood, and Schunichi. Dependent claims 15, 16, 26, and 27 are similarly patentable over Taro, Wood, and Schunichi for at least the same reasons as claims 11 and 17, from which they respectively depend, and further in view of their own respective features. Accordingly, Applicants respectfully request the rejection of claims 5, 16, 26, and 27 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 18, 19, and 20

Claims 18, 19, and 20 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Shuichi in view of Taro, and further in view of Wood. Applicants respectfully traverse this rejection.

Independent claims 18 and 20 respectfully recite, among other features, “wherein the request for information is received *after* the transaction has completed when a second one of an authentication level is used for the transaction” and “wherein the transaction is

completed ***without authentication*** of the user when a second one of the authentication level is determined" (emphasis added).

Applicants submit that neither Shuichi, Taro, nor Wood teach or suggest at least the aforementioned feature of independent claims 18 and 20. As noted above in regard to claims 11, 17 and 21, the applied references do not teach or suggest at least the above-noted distinguishing features of claims 18 and 20. Thus, for at least the reasons set forth above, Applicants submit that independent claims 18 and 20 are patentable over Shuichi, Taro, and Wood. Dependent claim 19 is similarly patentable over Shuichi, Taro, and Wood for at least the same reasons as independent claim 18, from which it depends, and further in view of its own respective feature. Accordingly Applicants respectfully request the rejection of claims 18, 19, and 20 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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